

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

EDWARD A. BILISKI,)	
)	
Plaintiff,)	
)	Civil Action No. 06-740 (GMS)
v.)	
)	
RED CLAY CONSOLIDATED)	
SCHOOL DISTRICT BOARD OF)	
EDUCATION, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

WHEREAS, on December 5, 2006, plaintiff Edward A. Biliski (“Biliski”) filed this action against Red Clay Consolidated School District Board of Education, the individual members of the Board, the Superintendent of Red Clay Consolidated School District, and Red Clay Consolidated School District itself (collectively, the “defendants”), asserting a claim pursuant to 42 U.S.C. § 1983 (2007);

WHEREAS, on October 29, 2007, Biliski and the defendants filed cross motions for summary judgment (D.I. 36, 39);

WHEREAS, on February 14, 2008, the court issued a Memorandum and Order (D.I. 50) granting the defendants’ motion for summary judgment, denying Biliski’s motion for summary judgment, and directing the clerk to close the case;

WHEREAS, on February 20, 2008, Biliski filed a Motion for Reargument (D.I. 51), asking the court to reconsider its February 14, 2008 Memorandum and Order;

WHEREAS, a motion for reargument should be granted only “sparingly;”¹

WHEREAS, in this district, motions for reargument are granted only if it appears that the court has patently misunderstood a party, has made a decision outside the adversarial issues presented by the parties, or has made an error not of reasoning, but of apprehension;² and

WHEREAS, the court concludes that none of the three above-cited conditions exist in the present case;

IT IS HEREBY ORDERED that:

1. The plaintiff’s Motion for Reargument (D.I. 51) is DENIED.

Dated: March 3, 2008

/s/ Gregory M. Sleet
CHIEF, UNITED STATES DISTRICT JUDGE

¹ *Tristrata Tech. Inc. v. ICN Pharms., Inc.*, 313 F. Supp. 2d 405, 407 (D. Del. 2004); *Karr v. Castle*, 768 F. Supp. 1087, 1090 (D. Del. 1991).

² *See, e.g., Shering Corp. v. Amgen, Inc.*, 25 F. Supp. 2d 293, 295 (D. Del. 1998); *Brambles USA, Inc. v. Blocker*, 735 F. Supp. 1239, 1240 (D. Del. 1990) (citing *Above the Belt, Inc. v. Mel Bonhannan Roofing, Inc.*, 99 F.R.D. 99 (E.D. Va. 1983)); *see also Karr*, 768 F. Supp. at 1090 (citing same).